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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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09/299,068 04/23/99 WILLIAMSON W 25932-5

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IM22/0107

EXAMINER

MEDLEY, M

ART UNIT	PAPER NUMBER
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1721

DATE MAILED: 01/07/00

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Office Action Summary

Application No.

09/299 068

Applicant(s)

WILLIAMSON et al

Examiner

MEDLEY

Group Art Unit

1721

☐ Responsive to communication(s) filed on _____

☐ This action is FINAL.

☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire ONE month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

Disposition of Claims

☒ Claim(s) 1-9 & 11-35 is/are pending in the application.

Of the above, claim(s) _____ is/are withdrawn from consideration.

☐ Claim(s) _____ is/are allowed.

☐ Claim(s) _____ is/are rejected.

☐ Claim(s) _____ is/are objected to.

☒ Claims 1-9 & 11-35 are subject to restriction or election requirement.

Application Papers

☐ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

☐ The drawing(s) filed on _____ is/are objected to by the Examiner.

☐ The proposed drawing correction, filed on _____ is ☐ approved ☐ disapproved.

☐ The specification is objected to by the Examiner.

☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

☐ All ☐ Some* ☐ None of the CERTIFIED copies of the priority documents have been

☐ received.

☐ received in Application No. (Series Code/Serial Number) _____

☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

*Certified copies not received: _____

☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

☐ Notice of References Cited, PTO-892

☐ Information Disclosure Statement(s), PTO-1449, Paper No(s). _____

☐ Interview Summary, PTO-413

☐ Notice of Draftsperson's Patent Drawing Review, PTO-948

☐ Notice of Informal Patent Application, PTO-152

— SEE OFFICE ACTION ON THE FOLLOWING PAGES —

Art Unit: 1721

It is noted that claim 10 improperly depends on claim 10.

Claim 1 is generic to a plurality of disclosed patentably distinct species comprising 1) a first moiety, 2) a second moiety, and 3) a third moiety reacted to produce a friction reducing compound. Applicant is required under 35 U.S.C. 121 to elect a single disclosed species, even though this requirement is traversed.

Should applicant traverse on the ground that the species are not patentably distinct, applicant should submit evidence or identify such evidence now of record showing the species to be obvious variants or clearly admit on the record that this is the case. In either instance, if the examiner finds one of the inventions unpatentable over the prior art, the evidence or admission may be used in a rejection under 35 U.S.C. 103(a) of the other invention.

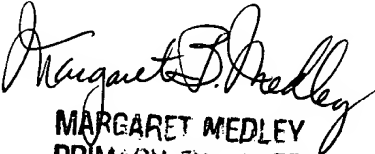
According, based on the fact that claim 1, drawn to a friction reducing compound, is generic to a variety of species embodying the various components "1)", "2)" and "3)" it is proposed that the Applicant be required to elect an examinable species for 1) the unsaturated synthetic dieneophilic base oil "the first moiety" from the species described in claim 2; 2) the structure having diene conjugated carbon-carbon double bond and a carboxylic acid or anhydride "the second moiety" from the species described in claim 4; 3) the polyhydroxy compound "the third moiety" from the species described in claim 5; and 4) the esterification catalyst selected from the species described in claim 9. In addition to the above election of species, based on the fact that claim 11 (and its dependent claims) drawn to a process for synthesizing a friction reducing compound; claim 20 (and its dependent claims) drawn to an anti-friction supplement

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composition containing claim 1 compound and claim 28 (and its dependent claims) drawn to a crankcase oil formulation containing claim 1 compound, wherein each of claims 11, 20 and 28 is generic to a variety of species embodying a friction reducing compound it is proposed that the Applicant be required to elect an examinable species for the process friction reducing compound of claim 11; to elect an examinable species for the friction supplement composition for a friction reducing compound of claim 20; and to elect an examinable species for the crankcase oil formulation friction reducing compound of claim 28.

Any inquiry concerning this communication should be directed to Margaret B. Medley at telephone number (703) 308-2518.

Margaret B. Medley/om
December 28, 1999
January 4, 2000


MARGARET MEDLEY
PRIMARY EXAMINER
GROUP 1700